GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Nagari Municipality - Allegations against Sri K.Sudhakar Rao, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District – Departmental enquiry under A.P.Civil Services (CCA) Rules 1991 – Imposed Penalty of 5% cut in pension for a period of four years, besides recovery of proportionate share amount of Rs.62,484/- under Rule-9 of APRP Rules, 1980 - Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II-2) DEPARTMENT

G.O.MS.No. 21 Dated: 03-02-2016
Read the following:

Ref:1.From CDMA, A.P. Hyd Lr.Roc.No.12617/2011/C2, dt.17.09.2011.
2.G.O.Rt.Nos. 1449, MA&UD(L1) Dept,dated 14.11.2011.
3.WSDs of Sri K.Sudhakar Rao, the then MC(Retd), Nagari Municipality, dt.24.12.2011.
4.G.O.Rt.No. 61, MA&UD(L1) Dept dt.11.01.2013
5.From Sri G.Srinivasa Rao, Enquiry Officer, Lr.Roc.No.1/GSR/TPG/2013, dt.30.03.2014 & 08.04.2015.
6.Govt.Memo No.14563/Vig.II-2/2011, dt.27.04.2015.
7.Govt.Memo No.14563/Vig.II-2/2011, Dt.06.10.2015.
8.Written representation of Sri K.Sudhakar Rao, the then MC(Retd), Nagari Municipality, dt.29.10.2015.
9.Govt.Letter No.14563/Vig.II-2/2011, Dt.16.11.2015.
10.From the Principal Secretary, APPSC, AP, Hyderabad Lr.No.1023/DC&C/3/2015, dt.08.01.2016.

O R D E R

In the reference 1st read above, the Commissioner & Director of Municipal Administration, A.P, Hyderabad has furnished draft articles of charges against Sri K.Sudhakar Rao, the then Municipal Commissioner(Retd) and others Nagari Municipality, Chittoor District in connection with committing certain financial irregularities in Municipal funds to a tune of Rs.4,55,593/- in Nagari Municipality, Chittoor District. Accordingly, charges have been issued vide reference 2nd read above against Sri K.Sudhakar Rao, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District as follows:-

"Charge No.1

That he had failed to publish the tender notice in wide circulated daily news papers and through the e-procurement, for purchase of two tractors with trailors, two autos and one Dozer for an amount of Rs.33.00 lakhs, which leads, poor participations of bidders in tenders for which financial loss caused to the Municipality.

Charge No.2

That he has colluded with the contractors and paid excess amount in purchasing of 2 Sonalika Tractors with Tailor for an amount of Rs.13.88 lakhs, which is lesser than the rate of Rs.5.90 lakhs (approximately) each in the market and purchased 2 Hydraulic Autos & One Loader for Tractor for an amount of Rs.5.78 lakhs & Rs.4.28 lakhs respectively, which is also higher side than original market rate and he has paid excess amount to the contractor and committed irregularities and misappropriate the Municipal Funds in Nagari Municipality.

Charge No.3

That he had purchased the Tractors, Hydraulic Autos, Loader & Dozer through Tenders without insisting the same through e-procurements, as the estimates of all theses items are more than one lakh, which leads, poor participation of bidders in tenders for which financial loss caused to the Municipality.

Charge No.4

For the above mentioned commissions and omissions, he had exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service and thereby contravened Rules 3 of APCS (Conduct) Rules, 1964.

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2. In the reference 3rd read above, Sri K.Sudhakar Rao, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District, while denying the charges framed against him has submitted his written statement of defence. Government after examining the written statement defences of charged officers and having found not satisfactory appointed Enquiry Officer to inquire into the charges framed against him vide reference 4th read above.

3. In the reference 5th read above, the Enquiry Officer has submitted his enquiry report and held that out of four charges, the two charges are proved against Sri K.Sudhakar Rao, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District during the enquiry.

4. In the reference 6th read above, copies of Enquiry Report was communicated to the Charged Officers including to Sri K.Sudhakar Rao, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District to offer their representations on the findings of the Inquiry Authorit, duly show causing as to why proportionate share of amount caused loss to the Nagari Municipality shall not be recovered in terms of Rule 21(2) of APCS(CCA) Rules, 1991. The charged officer has not submitted either written representation nor served copy in the matter.

5. After examination of the matter, Government have provisionally decided to impose a penalty of 5% cut in his monthly pension for a period of four years against Sri K.Sudhakar Rao, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District and also recovery of the amount of Rs.62,484/- as proportionate share of Rs.2,49,935/- as he caused loss to the Municipality under Rule-9 of AP Revised Pension Rules, 1980 for the charges held proved against him. Accordingly, a show cause Notice has been issued to him as to why a penalty of 5% cut in his monthly pension for a period of four years shall not be imposed, besides recovery of proportionate share amount of Rs.62,484/- against on him under Rule-9 of AP Revised Pension Rules, 1980 vide reference 7th read above. The charged officer has submitted his written representation duly denying the proposed penalty vide reference 8th read above. Government after examination of the written representation of the retired charged officer and confirming the proposed penalty have addressed to the Principal Secretary, A.P.P.S.C, A.P, Hyderabad to convey their concurrence to the penalty proposed vide reference 9th read above. In the reference 10th read above, the Principal Secretary, APPSC, Hyderabad has stated that the Commission has agreed to the above proposal of Government i.e., to impose the penalty of 5% cut in monthly pension for a period of four(4) years, besides recovery of proportionate share amount of Rs.62,484/- against Sri K.Sudhakar Rao, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District.

6. After careful examination of the matter, Government hereby impose a penalty of 5% (Five Percent) cut in monthly pension for a period of four(4) years against Sri K.Sudhakar Rao, former Municipal Commissioner(Retd), Nagari Municipality, Chittoor District. Government also order recovery of proportionate share amount of Rs.62,484/- against Sri K.Sudhakar Rao, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District in terms of Rule-9 of AP Revised Pension Rules, 1980.

7. The Director of Municipal Administration A.P, Hyderabad shall take necessary action in the matter accordingly.

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K.Sudhakar Rao, the then Municipal Commissioner(Retd), Nagari Municipality, Chittoor District through DMA, AP, Hyderabad.
The Director of Municipal Administration, A.P, Hyderabad.
The Engineer-in-Chief(Public Health), A.P, Hyderabad
The RDMA, Anantapur.
The Municipal Commissioner, Nagari Municipality.
Copy to:
The Secretary to APVC, AP Secretariat, Hyderabad.
The Principal Secretary to APPSC, AP, Hyderabad.
The Principal AG(A&E), AP, Hyderabad.
Sc/Sf.

//FORWARDED BY ORDER//

SECTION OFFICER